

September 14, 2018

Re: UMB Bank, N.A., as Trustee v. Sanofi, Case No. 1:15-cv-08725-GBD-RWL

Dear Judge Lehrburger:

We write jointly on behalf of Plaintiff UMB Bank, N.A., as Trustee (“the Trustee”) and Defendant Sanofi (“Sanofi”), pursuant to the Fourth Amended Discovery Plan and Scheduling Order (ECF No. 203) requiring the parties to submit a status report to Your Honor every 45 days, and respectfully jointly seek the judicial relief set forth in Item III below.

I. Pending Motions

There are no pending motions.

II. Fact Discovery

A. Document Production

The Trustee has completed its production of documents responsive to Sanofi’s requests.

Sanofi has completed its production of documents responsive to the Trustee’s requests.

The parties reserve their rights to challenge the completeness of each other’s document production based on ongoing deposition testimony.

B. Depositions

Depositions are ongoing. In order to accommodate the availability of witnesses, the parties have agreeably scheduled depositions in October and early November, after the current September 28, 2018 deadline for the completion of fact discovery.

The parties continue to confer concerning Rule 30(b)(6) representatives and topics, and, with respect to Sanofi, the designation of prior deposition testimony in connection therewith.

C. Subpoenas

The Trustee has issued subpoenas for documents of third parties who provided services to Sanofi, including Simon Kucher & Partners, Parexel, Accenture LLP, ZS Associates, United Biosource Corporation, Moody’s Corporation, and Duff & Phelps Corporation. Production of documents responsive to these third-party subpoenas is ongoing, and the Trustee is engaged in meet and confers with the subpoenaed parties as to the completeness of these productions.

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III. Need For Judicial Relief

Because of the need to schedule depositions after the current discovery cutoff (*see* Item II-B above), the parties jointly request that the Court extend by 45 days each of the deadline dates set forth in Items II-a(i-iii) (fact discovery), II-b(i-iv) (expert discovery), II-c (dispositive motions) and II-d(i) (other scheduling matters) of the Fourth Amended Discovery Plan and Scheduling Order (ECF 203).

IV. Next Joint Status Letter

The parties will submit their next joint status letter on Thursday, November 1, 2018.

Respectfully submitted,

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